

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Vidler et al.
Serial No. : 10/822,386
Filed : April 12, 2004
Title : DATA CARRIER FOR HEALTH RELATED INFORMATION
Docket : STD 1222 PA/41213.596
Art Unit : 3725
Confirm. No. : 2855

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF SUBSTANCE OF INTERVIEW

This Statement is further to the Interview Summary mailed April 29, 2010 by the Patent Examiner in the above identified application, regarding a telephonic interview held on April 21, 2010 between Examiner Dana Ross, and applicant's attorney, James F. Gottman. The Examiner's summary of the substance of the interview is correct.

MPEP §713.04 indicates that the applicant should address the following points, at a minimum:

(A) a brief description of the nature of any exhibit shown or any demonstration conducted;

No exhibits were shown.

(B) identification of the claims discussed;

Claims 3 and 5 were discussed.

(C) identification of specific prior art discussed;

No prior art was discussed.

(D) identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary form completed by the examiner;

Applicant's attorney explained that depended claims 3 and 5 should be rejoined in view of the allowance of claims 1, 2, 4 and 6 in the communication of March 9, 2010.

(E) the general thrust of the principal arguments of the applicant and the examiner should also be identified, even where the interview is initiated by the examiner. The identification of arguments need not be lengthy or elaborate;

Applicant's attorney explained that claims 3 and 5 had previously been withdrawn in view of a species election, but that the allowance of generic claim 1 made rejoinder proper under 37 CFR 1.141. Ms. Ross agreed.

(F) a general indication of any other pertinent matters discussed;

It was agreed that claims 7 - 15 would be cancelled by Examiner's amendment.

(G) if appropriate, the general results or outcome of the interview; and

Claims 1 - 6 stand allowed, and claims 7 - 15 are cancelled.

Respectfully submitted,

DINSMORE & SHOHL, L.L.P.

By /James F. Gottman/
James F. Gottman
Registration No. 27,262

Fifth Third Center
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6400
Facsimile: (937) 449-6405
e-mail: james.gottman@dinslaw.com